

SHER TREMONTE LLP

October 4, 2022

BY ECF

The Honorable LaShann DeArcy Hall
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Trooper 1 v. New York State Police et al.*, 22-cv-00893

Dear Judge DeArcy Hall:

I write on behalf of Governor Andrew Cuomo to join in the request by counsel for Melissa DeRosa and Richard Azzopardi for the Court to consider supplemental authority supporting the defendants' motions to dismiss. *See* ECF 54.

Like Ms. DeRosa and Mr. Azzopardi, Governor Cuomo seeks dismissal of the retaliation claims under the NYSHRL and NYCHRL, at least in part, because there was no employment or "ongoing economic relationship" between Governor Cuomo and Trooper 1 at the time of the alleged retaliatory conduct. *See* ECF 45 at 20-21; ECF 47 at 7. Thus, Judge Abrams's recent decision in *Eckhart v. Fox News Network, LLC*, 20-CV-5593 (RA) (S.D.N.Y.), ECF No. 215, dismissing retaliation claims under similar circumstances and confirming that an employment or other economic relationship is required by both the NYSHRL and NYCHRL, is highly persuasive authority supporting the relief Governor Cuomo seeks in his pending motion.

Sincerely,

/s/ Theresa Trzaskoma

Theresa Trzaskoma

cc: Counsel of Record (by ECF)